

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on Plaintiff's motion to seal documents submitted in connection with Defendant's Motion to Compel Complete Discovery from the Files of Dr. Robert Sardzik and Dr. Alan Whitton. Plaintiff seeks to seal this information on the ground the documents contain or reference "sensitive business and technical information concerning Syngenta's manufacture, production, and sales of azoxystrobin, and Syngenta's azoxystrobin business." (Mot. Seal [DE #557] at 1.) Where appropriate, Plaintiff has filed proposed redacted versions of the filings, omitting the portions it contends should not be available to the public.

For the reasons set forth in Plaintiff's motion and supporting memorandum, the court finds that the public's common law right of access is outweighed by Plaintiff's interests in protecting against competitive and/or financial harm to Plaintiff were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of the request to seal the documents and a reasonable opportunity to object have been provided by the filing of Plaintiff's motion, and no

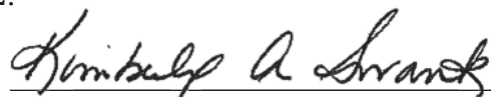
objections have been filed with the court. Plaintiff has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known. Furthermore, the parties have since settled all matters in controversy between them. Consequently, the sealed document will not be the subject of any ruling by the court. Plaintiff's motion is therefore allowed.

CONCLUSION

For the foregoing reasons, Plaintiff's Motion to Seal [DE #557] is GRANTED. It is ORDERED that the following documents be SEALED:

1. Defendant's Memorandum in Support of its Motion to Compel Complete Discovery From the Files of Dr. Robert Sardzik and Dr. Alan Whitton [DE #488]. A redacted version of this filing is available at DE #558-3;
2. Exhibits 1, 2, 3, 4 [DE ## 490-1, 490-2 and 532, 490-3, 490-4]. Redacted versions of these filings are available at DE ##558-4, 558-5, 558-6, 558-7;
3. Exhibits 10-21 [DE ## 490-5 to 490-16];
4. Syngenta's Response in Opposition to Plaintiff's Response in Opposition to Defendant's Motion to Compel Complete Discovery From the Files of Dr. Robert Sardzik and Dr. Alan Whitton [DE #551]. A redacted version of this filing is available at DE #558-8; and
5. Exhibit 1 [DE #553].

This 29th day of December 2022.



KIMBERLY A. SWANK
United States Magistrate Judge